

May 17, 2013

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Ex Parte Submission in connection with "Request by Progeny LMS, LLC for Waiver of
Certain Multilateration Location and Monitoring Service Rules," WT Docket No. 11-49

Dear Ms. Dortch:

The purpose of this letter is to notify the Commission of a specific instance where the position location system utilized by the applicant in the above-referenced Docket, Progeny/NextNav LLC ("Progeny" or "NextNav"), caused interference with Pacific Gas and Electric Company's ("PG&E") long-range supervisory control and data acquisition ("SCADA") systems. Only after joint investigation and testing conducted by Progeny and PG&E was the interference resolved through the relocation of Progeny's transmitters.

During the last week of October 2012, PG&E noticed that several field SCADA devices (including systems and components supplied by General Electric ("GE")) operating from a transmitter location known as Round Top in the San Francisco Bay Area were experiencing an unusually high error rate. Malfunction of these SCADA systems hinders PG&E's ability to safely and reliably control its gas pipeline systems and electric power grid. On November 1, 2012 PG&E technical experts visited Round Top to diagnose the problems with the field devices and found interference with our SCADA master transmitter/receiver operating on licensed frequencies of 952.05625MHz (transmission) and 928.05625Mhz (reception). Subsequently PG&E learned from the landlord of Round Top that the only new transmitter installed at the site belonged to NextNav. PG&E contacted NextNav and arranged to have the NextNav transmitter turned off. Communication errors immediately returned to normal levels. NextNav agreed to keep its transmitter turned off until a joint meeting and test could be scheduled. On December 5, PG&E and NextNav representatives visited Round Top. The transmitter was turned on briefly to demonstrate the interference with PG&E's SCADA system. The transmitter was then turned off until an antenna isolation test could be performed. Analysis of test results revealed that moving NextNav's antenna 40' below PG&E's receiving antenna would allow sufficient discrimination to prevent interference. On February 26, 2013 PG&E was notified that NextNav had relocated its transmitter from 200' to 160'. On March 4, 2013 PG&E and NextNav representatives visited Round Top and confirmed that NextNav's transmitter was no longer interfering with PG&E's SCADA systems at the new elevation of 160'.

This incident demonstrates the need for the Commission to order that Progeny conduct additional joint testing of its systems before the Commission can conclude that Progeny has met its obligations to Part 15 users. As the Part 15 Coalition has pointed out recently,¹ permitting devices that cause harmful interference to operate in this band based on the promise that such interference will be fixed after it has caused harm violates Commission rules and public policy. While we appreciate NextNav's willingness to relocate its interfering

¹ See Letter The Part 15 Coalition Ex Parte dated May 15, 2013 filed in WT Docket No. 11-49.

beacon after it caused a critical SCADA system to experience above average error rates, the time it took to make this adjustment and the fact that similar incidences could occur throughout our system is of significant concern to PG&E and its customers who rely on its network to operate safely and reliably at all times². Likewise, the NextNav remedy in this instance, lowering its beacon by forty feet, may have the unintended effect of creating interference to other Part 15 devices that previously had been protected due to the higher tower placement.

PG&E strongly believes that the Round Top incident underscores the need for additional testing among the users in this band and the development of best practices beacon siting guidelines that will minimize the likelihood of this kind of preventable interference. As the Commission correctly noted in its M-LMS Order on Reconsideration: "the Part 15 industry has an even greater array of technologies that fluctuate in response to the needs of the public. It would be inappropriate to apply uniform testing parameters to those varied technologies, as no one testing method would adequately address the needs of either LMS or Part 15 operations. Instead, we believe that the more prudent course of action would be for LMS and Part 15 operators to work closely together to reach consensus on testing guidelines that satisfy their respective requirements."³

Progeny's systems are not ready for commercial deployment as the Round Top incident illustrates. We urge the Commission to allow the testing process to continue so that incidents like the interference to PG&E's critical SCADA network can be prevented *before* they occur.

Please direct any questions to the undersigned.

Respectfully submitted,



Melissa A. Lavinson
Vice President
PG&E Corporation

cc:	Zachary Katz	Paul D'Ari
	Renee Gregory	David Turetsky
	Louis Peraertz	Jeffery Goldthorp
	David Goldman	David Furth
	Julie Knapp	Paul Murray
	Karen Ansari	
	Geraldine Matise	
	Hugh Van Tuyl	
	Ruth Milkman	
	John Leibovitz	
	Roger Noel	

² We note that the Round Top incident also illustrates the inaccurate and conclusory nature of Progeny's SCADA testing to date. See, e.g., Progeny Ex Parte filed March 21, 2012 in WT Docket No. 11-49 ("Therefore, similar to the joint test results of Itron and Landis+Gyr AMR equipment, Progeny's service will cause significantly less frequency conflicts with GE's SCADA devices than the conflicts that already result from ubiquitously deployed Part 15 devices. Therefore, Progeny's service will not cause unacceptable levels of interference to GE's SCADA equipment.")

³ M-LMS Order of Reconsideration, 11 FCC Rcd 16905 (1996) at ¶16.